

AMENDED IN ASSEMBLY APRIL 22, 2014

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2251

Introduced by Assembly Member Yamada

February 21, 2014

An act to add Section 12024.13 to the Business and Professions Code, relating to weights and measures.

LEGISLATIVE COUNSEL'S DIGEST

AB 2251, as amended, Yamada. Weights and measures: beverage containers: redemption value.

Existing law makes it unlawful for a person, at the time of sale of a commodity, to charge an amount greater than the price that is advertised, posted, marked, displayed, or quoted for the commodity. Existing law requires the Department of Food and Agriculture and each county sealer to enforce these provisions. A violation of these provisions is a crime.

Existing law, the California Beverage Container Recycling and Litter Reduction Act, requires a beverage distributor to pay a redemption payment in a specified amount for every beverage container sold or offered for sale in the state to the Department of Resources Recycling and Recovery, for deposit in the California Beverage Container Recycling Fund. The act authorizes a dealer, as defined, to separately identify the amount of any redemption payment on the customer cash register receipt provided to the consumer by the dealer that is applied to the purchase of a beverage container.

This bill would prohibit a dealer, *as specified*, from charging an amount for a redemption payment for a beverage container that is greater

than the amount set forth in the act. Because a violation of this provision would be a crime, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12024.13 is added to the Business and
2 Professions Code, to read:
3 12024.13. (a) A dealer of a beverage in a container subject
4 to Division 12.1 (commencing with Section 14500) of the Public
5 Resources Code shall not charge an amount for a redemption
6 payment for a beverage container that is greater than the amount
7 set forth in Section 14560 of the Public Resources Code.
8 (b) For purposes of this section, “dealer” has the same meaning
9 as in Section 14510 of the Public Resources Code.
10 SEC. 2. No reimbursement is required by this act pursuant to
11 Section 6 of Article XIII B of the California Constitution because
12 the only costs that may be incurred by a local agency or school
13 district will be incurred because this act creates a new crime or
14 infraction, eliminates a crime or infraction, or changes the penalty
15 for a crime or infraction, within the meaning of Section 17556 of
16 the Government Code, or changes the definition of a crime within
17 the meaning of Section 6 of Article XIII B of the California
18 Constitution.

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